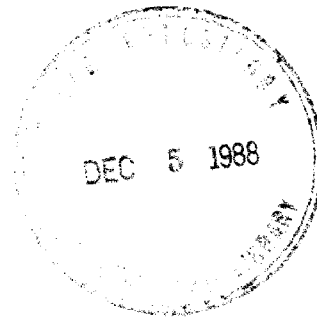


IN THE COURT OF APPEALS OF MARYLAND

IN RE: CERTIFICATION OF NEEDS FOR ADDITIONAL  
JUDGESHIIPS FOR FISCAL 1988



TO: The President of the Senate  
The Speaker of the House of Delegates

FROM: Robert C. Murphy, Chief Judge

DATE: January 20, 1987

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ROBERT C. MURPHY  
CHIEF JUDGE  
COURT OF APPEALS OF MARYLAND  
COURTS OF APPEAL BUILDING  
ANNAPOLIS, MARYLAND 21401

January 20, 1987

Hon. Thomas V. "Mike" Miller, Jr.  
President of the Senate  
State House  
Annapolis, Maryland 21401

Hon. R. Clayton Mitchell  
Speaker of the House  
State House  
Annapolis, Maryland 21401

Re: Judgeship Needs -- Fiscal Year 1988

Gentlemen:

In accordance with established procedures, I submit herewith my certification as to the need for additional judgeships for Fiscal Year 1988. After careful study of all the information available to me, I believe that one additional judgeship should be created in the District Court for Montgomery County during the 1987 Session of the General Assembly. I certify the need for this judgeship fully realizing the costs related to adding a judicial position in the State of Maryland. I have tried to "hold the line" throughout the State but I believe it is incumbent upon me, as administrative head of the State's judicial system, to convey to you my view that this position is required in order to maintain an effective and efficient administration of justice throughout the State and, in particular, Montgomery County.

Before providing details as to my reasons for requesting one new judicial position next year, please permit me to summarize our annual review process. As in the past, the Administrative Office of the Courts has prepared a statistical analysis of the workload and performance of our circuit courts. By applying a workload measure to case filings projected through Fiscal 1988 and by applying other statistical data, preliminary indications are made as to where additional judgeships may or may not be needed. (A copy of the Analysis, Exhibit A, is attached for your review and consideration.)

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The preliminary analysis is distributed to the eight circuit administrative judges who are encouraged to submit their own views as to the needs for judges (see attached Exhibits B-1 through B-8). These views are shared in some instances with other circuit court judges, bar associations, and legislators, as well as local governmental officials. Finally, after reviewing the statistical analysis and the responses of the administrative judges, certification is prepared.

As of July 1, 1986, there were 219 judicial positions authorized in Maryland, allocated in the following manner:

Court of Appeals	7 judges
Court of Special Appeals	13 judges
Circuit Courts	109 judges
District Court	90 judges

Each of these court levels undertakes to maximize the use of limited resources in order to keep current with their burgeoning caseloads. Some steps taken by these courts include the temporary recall of retired judges; the assignment of active judges from other areas of the State, as well as other courts; and various other administrative efforts aimed at managing caseload, particularly in the preliminary phases of litigation. All of these efforts are helpful in controlling the courts' workload but, from time to time, it is necessary to add permanent judicial positions.

After conferring with Chief Judge Richard P. Gilbert of the Court of Special Appeals, I plan not to seek any additional judicial positions in that Court in Fiscal 1988. I feel confident that a number of factors have contributed to the stabilization of the workload in this Court. Several years ago, the General Assembly passed legislation limiting certain criminal appeals. This law changed the handling of cases by the Court where the defendants entered a guilty plea in the circuit court from appeals as a matter of right to applications for leave to appeal. As a result, a number of criminal appeals have been reduced from the Court's regular docket. This procedural change, along with the continued use of the prehearing conference in the Court of Special Appeals and the additional law clerks provided a few years ago by the General Assembly, convinces me that there will be no need for any permanent judgeships in the Court of Special Appeals in Fiscal 1988.

With respect to the circuit courts, I am not seeking any additional judicial positions in any of the eight judicial circuits throughout the State, although six of the eight administrative judges have requested permanent judicial positions within their circuits during Fiscal 1988. I take this position with great reservation, fully realizing that several jurisdictions are on the verge of needing additional judgeships. In Fiscal 1986, the circuit court reported over 186,000 total case filings, statewide. This is 14,000 additional filings greater than the previous fiscal year and it represents the fourth consecutive year that the

circuit courts have reported increases of more than 10,000 additional filings. As in previous years, much of this increase is attributable to several factors: A high number of cases filed with the courts affecting the family -- divorce, child abuse, foster placements, etc.; greater influx of cases involving specialized litigation, such as asbestos claims; and a multitude of misdemeanor cases which are now being filed in the circuit court after having requested a jury trial in the District Court. In Fiscal 1986, almost 25,000 of these cases were removed from the District Court to the circuit court. Even though less than 2 percent of these cases ever result in a jury trial, the impact of these cases upon the circuit courts is now nearing catastrophic proportions. As a result, I have appointed a special eight-member committee, chaired by District Court Administrative Judge Ciotola, to study the problem and to recommend viable solutions. This committee, which is made up of four circuit and four District Court judges, is now in the process of holding hearings throughout the State in order to develop possible answers to this vexing problem which is now affecting the vast majority of the circuit courts in Maryland.

On the civil side, it is my hope that with legislative approval, substantial funds may be obtained to support the use of former judges in the pretrial settlement of cases in the circuit courts. Two jurisdictions have pioneered in this area using former judges as masters. I would hope that this concept could be expanded by having former judges preside over settlement conferences, as judges and not as masters, in order to give them all the powers which active judges presently possess under the Maryland Constitution and statutes. As envisioned, the civil dockets in at least four jurisdictions would become more manageable by using former judges two days a week during the entire year.

Turning to the individual requests of the circuit courts, Judge Simpkins makes a strong case for adding a new judge in the First Judicial Circuit by pointing out a statistical need of 0.6 of a judge in both Wicomico and Dorchester Counties. He also cites the fact that he may no longer be able to provide assistance to these jurisdictions because of the impact of the new correctional institution in Somerset County scheduled to begin operation in the summer of 1987. While there appears to be a need for judicial assistance on the horizon in the First Circuit, I am more inclined to wait a year to measure the effect of the new correctional institution and to look further into workload trends. If extensive caseload demands begin to appear within this circuit, I will not hesitate to forthwith request a permanent judicial position. In the interim, retired judges will be available to assist with any significant caseload demands in this circuit. In the Second Judicial Circuit, Judge Rasin perceives the need for no additional judgeships at this time.

Judge Cicone states the need for a judgeship in the Third Circuit (Baltimore County), by noting a 14.6 percent increase in total filings in the Baltimore County circuit courts. Most of this is attributable to an

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increase in the number of criminal cases from the District Court in which a jury trial has been requested. Before certifying the need for additional judgeships in jurisdictions where there have been a high number of jury trials requested in recent years, further consideration needs to be given towards developing alternative solutions to the problem of jury trial requests, statewide.

Judge Wright has responded that there is no need for judicial support in the Fourth Judicial Circuit, and in the Fifth Judicial Circuit, Judge Thieme supports Judge Gilmore's request for a third circuit court judgeship in Carroll County. Like Charles County in the Seventh Judicial Circuit, Carroll County represents one of the higher growth areas of the State in terms of population. By July 1, 1987, it is projected that Carroll County will have a population of 110,600 or approximately 13,500 more than in July of 1980. Over the past year, Carroll County has initiated a new civil scheduling system which promises to increase the court's ability to dispose of more civil cases on a regular basis. In general, Carroll County appears on the verge of needing a third judge. Additional study, however, should be given toward reviewing the effectiveness of the new civil assignment system before making that request. As I stated last year, if the workload demands continue to exist and if there is support at the local level for authorization of an additional judgeship, I will request a third judge for Carroll County.

This is also true for Charles County (Seventh Judicial Circuit), where Chief Judge Loveless supports Judge Bowling's request for a third judge in the circuit court. There is no question that Charles County has been one of the leading subdivisions in this State in terms of overall growth, both in population and per capita judicial workload. Chief Judge Sweeney has made a similar request for an additional judge in the District Court for Charles County. While the need for at least one additional judge in Charles County in Fiscal 1988 is fast approaching, I am more inclined to "hold the line" in my request for the next fiscal year. If need be, judicial assistance can be provided from other areas of the circuit or district.

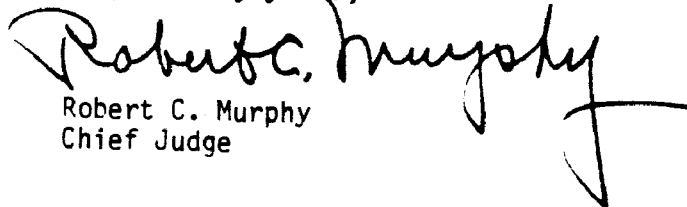
In Montgomery County (Sixth Judicial Circuit) and Baltimore City (Eighth Judicial Circuit), both circuit administrative judges have requested at least one additional circuit court judge in Fiscal 1988. While each of these jurisdictions has individual reasons for requesting permanent judicial positions, I again believe that certifying the need for more judgeships, particularly in those courts where a high number of requests is received for jury trials, is not prudent at this time.

An additional District Court judge is, however, badly needed in Montgomery County. I am convinced there is no other alternative available but to add a permanent judgeship at this time. As indicated in the attached correspondence from Chief Judge Sweeney, the elapsed time

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between filing and disposition of speeding tickets in Montgomery County is fast approaching one year. This is an intolerable situation, one that cannot be rectified through the use of retired judges or of judges from other Districts. Indeed we have heretofore temporarily assigned numerous active and retired judges to this Court over the past two years to clear trial backlogs, but without success. It is also apparent that this is greater than a backlog problem since motor vehicle cases in Montgomery County have increased significantly over the past three fiscal years. In Fiscal Year 1986, the motor vehicle workload increased by over 33,000 cases, from 115,080 in Fiscal 1984 to 148,355 in Fiscal 1986. Chief Judge Sweeney has additionally indicated that the bench time for these courts is between four and five hours a day, a time far in excess of the acceptable norm. For these reasons, I certify one additional judge in Fiscal 1988 for the District Court in Montgomery County.

Respectfully yours,

  
Robert C. Murphy  
Chief Judge

RCM:npg  
Enc.

cc: Hon. William Donald Schaefer, Governor-elect  
Hon. Laurence Levitan, Chairman, Senate Budget and Taxation Committee  
Hon. Walter M. Baker, Chairman, Senate Judicial Proceedings Committee  
Hon. Charles J. Ryan, Chairman, House Appropriations Committee  
Hon. William S. Horne, Chairman, House Judiciary Committee  
Hon. Richard P. Gilbert, Chief Judge, Court of Special Appeals  
Hon. Raymond G. Thieme, Jr., Chairman, Conference of Circuit Judges  
Hon. Robert F. Sweeney, Chief Judge, District Court  
Circuit Administrative Judges  
James H. Norris, Jr., Esq., State Court Administrator  
F. Carvel Payne, Esq., Director, Dept. of Legislative Reference  
Mr. Clifford Pedone, Budget Analyst, Dept. of Budget and Fiscal Planning  
Ms. Karen D. Morgan, Administrative Analyst, Dept. of Fiscal Services  
Mr. Peter J. Lally, Assistant State Court Administrator

Exhibit A

STATISTICAL ANALYSIS OF THE NEED FOR  
ADDITIONAL JUDGESHIPS IN THE CIRCUIT COURTS

Fiscal 1988

Administrative Office of the Courts  
Courts of Appeal Building  
Post Office Box 431  
Annapolis, Maryland 21404  
301/269-2141



STATISTICAL ANALYSIS OF THE NEED FOR  
ADDITIONAL JUDGESHIPS IN THE CIRCUIT COURTS

Fiscal 1988

I. INTRODUCTION

On January 4, 1979, Chief Judge Robert C. Murphy began an annual procedure of formally certifying to the General Assembly the need for additional judges in Maryland. This process, which has become known as the certification process (or judicial allocation plan), was suggested by the Legislative Policy Committee prior to the 1979 session of the legislature. Since its implementation, it has allowed the Judiciary the opportunity to present the need for judgeships based on a review of a comprehensive set of factors including workload and other variables which affect the daily movement of cases through the State's judicial system.

The Chief Judge's Certification Process in identifying needs in the circuit courts involves three different steps. The starting point and the subject of this report is a statistical analysis prepared by the Administrative Office of the Courts. Several variables are considered at this interval: actual and projected filings; the number of pending cases per judge; the number of dispositions per judge; the ratio of attorneys to judges; the time required for the filing of the case through disposition (divided by criminal, civil, and juvenile) and the population per judge for each jurisdiction in Maryland. By reviewing these factors and applying caseload projections, preliminary indications can be made as to where additional judges are needed. It is important

to emphasize that these indicators are only preliminary at this juncture and they are only meant to act as a guide in assisting where additional judicial positions may be needed. The final decision or position of the Judiciary is not made until the end of the third step.

The second phase of certification involves local input. It is at this stage of development, after reviewing the statistical analysis prepared by the Administrative Office of the Courts and assessing local factors, that each circuit administrative judge responds to the need for additional judgeships. This response is given after several groups or individuals have been consulted. For example, the circuit administrative judge will seek the views of the administrative judge from the county where an additional judge may be considered. He will also solicit opinions from all or a select number of members of the bench from that county. He undertakes to gain additional insight from members of the bar, State and local legislators, and other individuals involved with providing local support. In all, based on a thorough review of the local environment and additional factors which may justify the need for increasing judgeships, the circuit administrative judge is asked to address the circuit's need for additional judgeships. In responding, the circuit administrative judge is asked to address the following points:

- A. Is there agreement or disagreement with the statistical analysis prepared by the Administrative Office of the Courts?
- B. If there is disagreement with the analysis for additional judges, what factors (such as the availability of inter- or intra-circuit assignments or the use of District Court or

retired judges, the lack of physical facilities or the lack of fiscal support, improved administrative procedures, etc.) support this view?

- C. If there is disagreement with the analysis against additional judges, what factors (such as the unavailability of inter- or intra-circuit assignment, District Court judges, or retired judges, the availability of physical facilities and local fiscal support, complexity of cases, case delay, demographic or economic factors, etc.) support this view? Are all case-flow management procedures being utilized in order to minimize the need for more judges?
- D. If there is agreement with the formula recommendations, are there physical facilities and anticipated local financial support for any recommended additional judgeships? Does the local delegation of State legislators support this need? What is the position of the local bar and others who might be called upon to support the request for an additional judgeship?

The final phase of the certification plan occurs when the Chief Judge of the Court of Appeals reviews the responses from administrative judges as well as the preliminary statistical analysis. Before making a final decision, he may also choose to discuss the request further with the administrative judge or others whom he feels may have specific knowledge about the request. Final certification is then drafted for the legislative leadership based on a distillation of all the information available to the Chief Judge. This step is normally taken in advance of the legislature convening in January.

## II. METHODOLOGY FOR STATISTICAL ANALYSIS

In order to statistically review the need for judgeships, a variety of factors (or variables) can be looked at in order to help gauge where an additional judge may be needed. In Maryland, the first step is to assess the relative need of a jurisdiction by reviewing factors which may influence workload and performance of the courts. The second approach is to look at the specific needs of a jurisdiction by applying a particular formula. If the relative needs analysis and the formula approach both indicate a need for an additional judgeship, then there is a strong likelihood that a solid statistical need exists for a judgeship in that jurisdiction.

Reviewing the time required to terminate cases (performance measure) is one method of showing how the circuit courts are coping with increases in caseload. Table 3 illustrates the average number of days between filing and disposition for all cases terminated over the past four fiscal years (1983, 1984, 1985, and 1986). Civil cases generate the most time in terms of a case moving from the date of filing to final disposition and it appears that the average time for these cases in Fiscal 1986 is approximately 204 days. Criminal filings are the next highest, averaging 106 days (Fiscal 1986) followed by Juvenile filings which averaged 66 days (Fiscal 1986).

Workload measures are compared in Table 5. These include filings per judge, pending cases per judge, dispositions per judge, population per judge, and attorney/judge ratio. (Detailed population figures are found in Table 4.) All variables are ranked in Table 6. A distinction is made between predictive factors and performance factors. Predictive factors generally indicate those elements which may affect the amount of

business or workload of the courts in the foreseeable future, while performance factors tend to illustrate the ability of the courts to handle their workload. By comparing two sets of factors collectively (Table 7), one can gain a perspective of the relative needs of the jurisdictions in Maryland in terms of volume and their ability to cope with workload demands.

After reviewing the method for determining relative needs, a more specific analysis of each area of the State is then considered. Projections are developed for Fiscal 1986 and Fiscal 1987 and then applied to a scale to predict numerically the need for judicial positions. The following scale was utilized for Fiscal 1988 projections:

- A. 1,000 case filings in jurisdictions with 1 to 3 judicial officers;
- B. 1,100 case filings in jurisdictions with 4 to 8 judicial officers;
- C. 1,200 case filings in jurisdictions with 9 to 14 judicial officers;
- D. 1,300 case filings in jurisdictions with 15 to 19 judicial officers; and
- E. 1,400 case filings in jurisdictions with 20 or more judicial officers.

The results of the filings standard analysis are shown in Table 8. The first column after the jurisdiction represents the total 1988 projected filings for civil, criminal, and juvenile cases. The second column represents existing authorized judgeships. The third column shows the number of available full- and part-time masters, both juvenile and domestic relations, and also District Court judges who are cross designated to hear juvenile and other matters in the circuit court. It also indicates the number of retired judges who are recalled in some

jurisdictions for settlement conferences. The fourth column combines the second and third columns into a total combined number of judicial officers. The fifth column illustrates the projected number of total case filings per judicial officer. The sixth column shows the estimate of judge needs by applying the appropriate filing standard to the projected adjusted caseload, and the last column represents preliminary estimate of needed judicial manpower in terms of existing judicial resources and projected need. A surplus is shown by a number in parentheses and a shortage or a need for judges is shown by a number without parentheses.

### III. GENERAL TRENDS WITHIN THE CIRCUIT COURTS

In the circuit courts, 186,210 filings were reported in Fiscal 1986 compared to 171,964 cases filed in Fiscal 1985 (excluding juvenile matters filed in Montgomery County). This represents a difference of over 14,000 additional filings or an increase of approximately 8.2 percent in total filings. Increases were reported in all three functional categories: criminal filings, 14.3 percent; juvenile filings, 12.5 percent; and civil filings, 4.5 percent (see Table 1). Since Fiscal 1982, total filings have increased steadily at a rate between six and eight percent annually. The most consistent and significant increases have occurred with criminal filings, chiefly as the result of a large number of requests in the District Court for jury trials in misdemeanor cases. Since the District Court does not conduct jury trials, all of these requests are transferred to the circuit courts for disposition. In Fiscal 1986, 23,284 jury trial requests were filed in the circuit courts throughout the State. This represented nearly 50

percent of the entire criminal caseload for the year (48,660 criminal filings).

In 1981, the General Assembly passed a law aimed at reducing the number of demands for jury trials in the District Court (Chapter 608, Acts of 1981). As a result, jury trial prayers dropped by one-half after the first year (*infra* p. 8). In Fiscal 1983, two years after passage of the law, jury trial prayers increased close to the level where they were prior to the enactment of Chapter 608. The effectiveness of this law in reducing jury trial prayers was considerably lessened when, in April of 1984, the Court of Appeals ruled as unconstitutional the denial of a jury trial for a theft offense carrying a penalty of 18 months imprisonment. (See Kawamura v. State, 299 Md. 276, 473 A.2d 438 (1984).) In Fiscal 1984, jury trial prayers exceeded the 1981 level. As a result of another Court of Appeals decision the effectiveness of the law was thereafter further reduced. (See also Fisher v. State, 305 Md. 357, 504 A.2d 626 (1986).) As a practical matter, therefore, the 1981 law has no impact upon the jury prayer problem.

In Fiscal 1985, jury trial requests continued to climb to 19,180 filings, and during the past fiscal year, 23,284 requests were made. While in most jurisdictions less than two percent of the cases actually result in a jury trial, a significant amount of court time is now required to dispose of the requests when scheduled for the circuit court. This influx of these cases is the single most important problem affecting the administration of the circuit courts throughout the State.

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Jury Trial Prayers Pre- and Post-Gerstung Law (Chapter 608)

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	Pre- Ch. 608	Post-Chapter 608				
	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
Baltimore City*	5,925	2,034	3,209	4,128	5,948	7,407
Anne Arundel County	503	381	392	459	720	922
Baltimore County	1,312	1,050	1,424	1,513	2,245	3,363
Montgomery County	636	489	1,223	1,924	2,631	2,511
Prince George's County	952	895	1,583	2,755	4,043	4,348
All Other Counties	<u>2,962</u>	<u>1,399</u>	<u>1,930</u>	<u>2,414</u>	<u>3,593</u>	<u>4,733</u>
Total	12,290	6,248	9,761	13,193	19,180	23,284

\*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

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Since the certification process began in January of 1979, 19 circuit court judgeships and four District Court judgeships have been created. During the 1979 session of the General Assembly, seven circuit court judges were approved -- two in Anne Arundel, one each in Baltimore City, Charles, Montgomery, Prince George's, and Worcester Counties (Chapter 480, Acts of 1979). In 1980, while the circuit judgeship bills were not enacted (SB 674 and HB 997), one District Court judge was authorized in Howard County (Chapter 266, Acts of 1980). The following year, 1981, the General Assembly approved six circuit court judges under the certification process -- two in Baltimore County, one each in Harford, Howard, Montgomery, and Washington Counties (Chapters 532 and 634 of 1981 Acts). In 1982, one circuit court judge was approved in Prince George's County (Chapter 132 of 1982 Acts). During the 1983 session, one judge was approved in the District Court for Montgomery County (Chapter 141 of 1983 Acts); two circuit court judgeship requests in Frederick County and Baltimore City were not approved.



In 1984, the General Assembly created five new judicial positions: two District Court judgeships, one each in Prince George's County and Baltimore City (Chapter 107 of 1984 Acts); and three additional judgeships in the circuit courts, one each in Baltimore, Frederick, and Prince George's Counties (Chapter 191 of 1984 Acts). During the 1985 session of the General Assembly, two circuit court judgeships were authorized, one each for Montgomery and Prince George's Counties (Chapter 21 of 1985 Acts). In Fiscal 1986, no additional judgeships were requested or authorized for the circuit courts. This means that over 79 percent of judgeship requests have been approved since the certification program began at the request of the Legislative Policy Committee over eight years ago.

#### IV. CIRCUIT-BY-CIRCUIT ANALYSIS

##### First Circuit

Dorchester, Wicomico, Worcester, and Somerset Counties comprise the four-county area of the southern portion of the Eastern Shore of Maryland known as the First Judicial Circuit. As indicated in Tables 2 and 4, Wicomico County represents the largest of these four jurisdictions, both in terms of caseload filings and overall population. In Fiscal 1986, Wicomico County reported 2,644 filings and is expected to have a population of 70,700 by July 1, 1987.

As to other statistical indicators, Dorchester County ranks first in the State in the number of dispositions per judge (1,960) and fifth in the number of filings per judge (1,837). According to caseload projections for Fiscal 1988, it appears that both Dorchester and

Wicomico Counties would show a need of 0.6 judges in each jurisdiction if current caseload trends continue. This suggests that both of these jurisdictions should review their needs in the next several years in order to determine if a permanent judicial position is warranted. On an interim basis, judicial assistance may have to be provided on an intra-circuit basis.

### Second Circuit

The Second Judicial Circuit is made up of the five-county region of Caroline, Cecil, Kent, Queen Anne's, and Talbot Counties. According to statistical projections found in Table 8, it appears that there is no additional need for a judgeship to be authorized in any of these subdivisions in Fiscal 1988. It should be noted, however, that while no permanent judges may be imminently needed in the Second Judicial Circuit, this region has also experienced growth. According to population projections (Table 4), it is expected that Queen Anne's and Cecil Counties' population will grow on an annual basis of 1.15 percent and 1.03 percent through July 1, 1987. In addition, it appears that Talbot County ranks sixth in the number of attorneys per judge (86 attorneys per judge) and fifth in the overall time disposition of juvenile cases (69 days). Caroline County reported second highest in the number of days for the disposition of criminal cases (163 days), and Cecil County reported 159 days for the same type of cases.

### Third Circuit

Baltimore and Harford Counties, which constitute the Third Judicial Circuit, have shown an increase in total case filings for the third

consecutive fiscal year. Baltimore County reported 18,352 filings in Fiscal 1984; 20,176 filings in Fiscal 1985; and 23,137 filings in Fiscal 1986. This represents an increase of approximately 26.0 percent over a three-year period. In Harford County, there were 4,579 case filings in Fiscal 1984; 4,968 case filings in Fiscal 1985; and 5,350 filings in Fiscal 1986. This also represents an increase -- 16.8 percent. A significant portion of both of these increases may be attributable to the increase in the number of requests for jury trial prayers. In Baltimore County, for example, 2,000 additional criminal case filings have been introduced since the jury trial prayer problem arose in 1981. To assist in the management and control of cases docketed in the civil courts, Baltimore County uses two retired judges as special masters for purposes of conducting pretrial settlement conferences.

The population growth in the Third Judicial Circuit is expected to increase at the same rate as other areas of the State. By July 1, 1987, it is projected that this area will inhabit 844,900 people or about 5.1 percent more than was reported in the 1980 census. This means an annual growth of 0.36 percent (Table 4). Baltimore County ranks third in population per judge (52,931) and third in the number of attorneys per judge (153 to 1). Harford County reported the second highest number of pending cases per judge in the State in Fiscal 1986, with 1,914 filings pending per judge. In addition, Harford County ranked third highest in the State for the disposition of criminal filings (161 days) while Baltimore County ranked fifth in the disposition of civil cases (210 days).

#### Fourth Circuit

Allegany, Garrett, and Washington Counties compose the three-county area of western Maryland that makes up the Fourth Judicial Circuit. In Fiscal 1986, this circuit reported 6,645 total case filings, an increase of 11.7 percent over the previous fiscal year. This is consistent with previous increases of 10.5 percent in Fiscal 1984 and 15.5 percent in Fiscal 1983.

While, collectively, the circuit shows a need for no additional circuit court judges in Fiscal 1988, 0.7 additional judges are forecast for Washington County if current caseload trends continue. No other additional judicial assistance appears to be needed by comparative workload measures indicated in Table 5. In terms of case disposition time, Allegany County ranks third in the State in civil cases (232 days) and Garrett County ranks fourth in the State in disposition of criminal cases (160 days). Most of this, however, is attributable to a small number of cases that may take an extensive period of time for final disposition.

#### Fifth Circuit

One of the more significant growth areas in the State is Anne Arundel, Carroll, and Howard Counties, which geographically lies between the metropolitan areas of Baltimore and Washington and makes up the Fifth Judicial Circuit. By July 1, 1987, the population for the circuit is projected at 664,100 people. This is nearly 75,000 more than the July 1980 population and it is anticipated that each subdivision within the circuit will grow as follows: Anne Arundel County - 37,000; Howard County - 24,000; and Carroll County - 13,000 (Table 4).

Concurrent with this growth in population, there has been an increase in the number of court filings. In Fiscal Year 1983, the Fifth Circuit reported 19,906 filings compared to 23,727 filings reported in Fiscal 1984. In Fiscal 1985, total filings rose again to 26,037. This represents an increase of 30.7 percent over a three-year period. Last year, Fiscal 1986, case filings within the region somewhat stabilized, in that 26,681 case filings were reported, an increase of about 2.4 percent. In Anne Arundel and Carroll Counties, there were no significant increases in case filings, while in Howard County, there was an increase of approximately 500 additional filings.

With respect to other workload measures, Anne Arundel County ranks third in the State in the number of filings per judge (2,029), third in the number of pending cases per judge (1,716), and sixth in the number of dispositions per judge (1,608). It also ranks high (fifth) in the number of population per judge (44,911) and the number of attorneys to judges (93 to 1). Carroll County ranks second in the State in population per judge (54,350) and fifth in the number of dispositions per judge (1,664). Howard County has a high attorney/judge ratio (fourth), with 137 attorneys per judge. As to the length of time for the disposition of cases, Anne Arundel County ranks third longest in the disposition of juvenile matters (74 days) while Howard County ranks fourth in disposition of civil cases (225 days).

#### Sixth Circuit

Over the past four fiscal years, Montgomery and Frederick Counties, the two counties in the Sixth Judicial Circuit, have shown a steady increase in the number of court filings. In Fiscal 1983, this

circuit reported 17,139 filings, and in Fiscal 1984, 18,465 filings were reported. Again, in Fiscal 1985, 19,651 filings were reported compared to 20,837 filings in Fiscal 1986. This has resulted in an increase in filings of approximately 5 percent each year.

As is the case with other large jurisdictions in the State of Maryland, a significant portion of caseload increases over this period is attributable to the greater demand for jury trials originating from the District Court. The following indicates the increase in the number of those requests in Montgomery County for the past six fiscal years:

	<u>FY 81</u>	<u>FY 82</u>	<u>FY 83</u>	<u>FY 84</u>	<u>FY 85</u>	<u>FY 86</u>
Motor Vehicle Jury Trial Prayers	357	248	812	1,475	1,561	1,663
Criminal Jury Trial Prayers	<u>279</u>	<u>241</u>	<u>411</u>	<u>449</u>	<u>1,070</u>	<u>1,167</u>
	636	489	1,223	1,924	2,631	2,830

Looking at other workload factors, Montgomery County ranks first in the State in the attorney/judge ratio (253 to 1), fourth in the number of pending cases per judge (1,712), and fourth in population per judge (48,554). Montgomery County also ranks the longest in the elapsed time of all case categories. In civil cases, the county averages 245 days; in criminal, 168 days; and in juvenile matters, 85 days.

#### Seventh Circuit

Prince George's County and the southern Maryland counties of Calvert, Charles, and St. Mary's make up the Seventh Judicial Circuit of Maryland. As indicated in Table 4, the smaller jurisdictions within

this region are showing the greatest changes in population growth. Calvert County's annual rate of change is 1.6 percent followed by Charles County which is 1.56 percent, and St. Mary's County, 1.13 percent. Along with this increase, there has been a steady growth in the number of filings, the most significant of which has been noted in Prince George's County. In Fiscal 1983, 26,551 filings were reported compared to Fiscal 1984, when 29,653 cases were reported. In Fiscal 1985, a slight increase was reported in 29,916 and again in Fiscal 1986, 32,542 cases were reported. During this period, Charles County has seen an increase in the number of filings as well, from 3,126 in Fiscal 1983 to 3,804 in Fiscal 1986.

As indicated in the following chart, Prince George's County has seen a significant increase in the number of jury trial prayers.

	<u>FY 81</u>	<u>FY 82</u>	<u>FY 83</u>	<u>FY 84</u>	<u>FY 85</u>	<u>FY 86</u>
Motor Vehicle Jury Trial Prayers	178	242	669	1,438	1,794	2,040
Criminal Jury Trial Prayers	<u>774</u>	<u>653</u>	<u>914</u>	<u>1,317</u>	<u>2,249</u>	<u>2,308</u>
	952	895	1,583	2,755	4,043	4,348

Turning to other workload measures, Prince George's County ranks second in the State in terms of filings per judge (2,034) and fourth in the State in the number of dispositions per judge (1,666). Charles County ranks third in the number of dispositions per judge (1,775) and fourth in the State in the number of filings per judge (1,902). St. Mary's County is the highest jurisdiction in the State with respect to population per judge (68,200).

In reviewing the elapsed time of cases, Calvert County ranks second in the State in the disposition of juvenile cases (77 days), and St. Mary's County ranks fourth, averaging 73 days for a juvenile filing. Prince George's County ranks second in the State in the time disposition of civil cases (241 days).

#### Eighth Circuit

The Circuit Court for Baltimore City comprises the Eighth Judicial Circuit in Maryland. It consists of 23 judges and 11 full-time juvenile and domestic relations masters to handle a workload of over 50,000 case filings each year. One District Court judge is assigned to the Circuit Court on a rotational basis during the year along with one part-time retired judge sitting as a special master conducting settlement conferences. In Fiscal 1985, 50,695 case filings were reported in the Eighth Judicial Circuit. This represents a 7.5 percent increase over the number of filings in Fiscal 1985, when 47,128 cases were reported. As is the case in most other metropolitan courts in Maryland, the greater percentage of the Fiscal 1986 workload increases were directly attributable to higher demand for jury trials originating from the District Court. In Baltimore City, this demand resulted in approximately 1,461 more defendants making this request in Fiscal 1986, or about 24.5 percent more jury trial requests (see discussion of these cases, *supra* p. 8). With respect to other workload indicators, Baltimore City ranks first in the number of filings per judge (2,204) and the number of pending cases per judge (3,555), and second highest in the number of dispositions per judge (1,803) and the number of attorneys per judge (184 to 1). Disposition time appears to be consistent or better than most urban jurisdictions within the State (see Tables 3 and 6).



TABLE 1  
STATEWIDE CIRCUIT COURT FILINGS BY CASE TYPE  
FISCAL YEARS 1977 THROUGH 1986

Case Type	FY 77 Filings (% of Change)	FY 78 Filings (% of Change)	FY 79 Filings (% of Change)	FY 80 Filings (% of Change)	FY 81 Filings (% of Change)	FY 82 Filings <sup>c</sup> (% of Change)	FY 83 Filings <sup>c</sup> (% of Change)	FY 84 Filings (% of Change)	FY 85 Filings (% of Change)	FY 86 Filings (% of Change)
Civil <sup>a</sup>	66,026 (+ 6.2%)	74,720 (+13.2%)	81,064 (+ 8.5%)	86,295 (+ 6.5%)	75,336 (-12.7%)	81,633 (+ 8.4%)	91,255 (+11.8%)	97,674 (+ 7.0%)	102,030 (+ 4.50%)	106,716 (+ 4.59%)
Criminal	43,171 (+27.93%)	35,729 (-17.23%)	38,516 (+ 7.80%)	39,007 (+ 1.27%)	46,061 (+18.08%)	30,575 (-33.62%)	33,862 (+10.75%)	36,738 (+ 8.49%)	42,547 (+15.80%)	48,660 (+14.36%)
Juvenile <sup>b</sup>	23,825 (- 5.81%)	22,472 (- 5.67%)	23,487 (+ 4.51%)	24,117 (+ 2.68%)	22,961 (- 4.79%)	26,481 (+15.33%)	26,518 (+ 0.13%)	26,626 (+ 0.40%)	27,387 (+ 2.90%)	30,834 (+12.58%)
Total	133,022 (+ 9.75%)	132,921 (- 0.07%)	143,067 (+ 7.63%)	149,419 (+ 4.43%)	144,358 (- 3.38%)	138,689 (- 3.93%)	151,635 (+ 6.92%)	161,038 (+ 6.20%)	171,964 (+ 6.78%)	186,210 (+ 8.28%)

<sup>a</sup>Beginning in Fiscal 1985, "Law" and "Equity" were combined into one category and named "Civil."

<sup>b</sup>Excludes juvenile causes in Montgomery County District Court.

<sup>c</sup>During Fiscal 1981 and Fiscal 1982, reopened cases were counted when a hearing was held. In all other fiscal years, reopened cases are recorded at the time of the filing of the petition.

<sup>d</sup>Beginning in Fiscal 1982, Baltimore City changed its criminal counting procedures from individual charges to cases which are defined as charges arising out of a single incident.

TABLE 2  
PROJECTIONS OF CIRCUIT COURT FILINGS FOR  
EACH JURISDICTION IN MARYLAND THROUGH 1988

Circuit/ Jurisdiction	Actual								Projected <sup>c</sup>	
	FY 79	FY 80	FY 81 <sup>a</sup>	FY 82 <sup>b</sup>	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
<u>First Circuit</u>	5,691	6,128	6,005	5,506	6,198	6,398	6,366	7,552	7,093	7,278
Dorchester	1,306	1,370	1,156	1,135	1,156	1,305	1,480	1,837	1,597	1,647
Somerset	562	618	550	635	675	800	759	940	914	964
Wicomico	2,251	2,522	2,307	2,348	2,669	2,583	2,245	2,644	2,581	2,611
Worcester	1,572	1,618	1,992	1,388	1,698	1,710	1,882	2,131	2,001	2,056
<u>Second Circuit</u>	4,249	4,669	4,436	4,957	5,602	5,369	5,625	5,891	6,156	6,390
Caroline	549	618	750	678	750	687	897	977	967	1,018
Cecil	1,892	2,121	1,975	2,219	2,311	2,356	2,484	2,376	2,562	2,638
Kent	399	457	414	378	430	388	372	551	456	464
Queen Anne's	656	726	735	886	1,054	991	939	944	1,082	1,129
Talbot	753	747	562	796	1,057	947	933	1,043	1,089	1,141
<u>Third Circuit</u>	19,248	19,582	19,642	20,303	22,281	22,931	25,144	28,487	26,461	28,053
Baltimore	15,648	16,126	15,857	16,348	18,341	18,352	20,176	23,137	21,165	22,513
Harford	3,600	3,456	3,785	3,955	3,940	4,579	4,968	5,350	5,296	5,540
<u>Fourth Circuit</u>	5,519	6,052	4,980	4,807	5,130	5,378	5,947	6,645	5,908	6,010
Allegany	2,073	2,112	1,650	1,589	1,577	1,544	1,702	1,935	1,594	1,554
Garrett	640	725	706	645	724	701	718	684	711	715
Washington	2,806	3,215	2,624	2,573	2,829	3,133	3,527	4,026	3,603	3,741
<u>Fifth Circuit</u>	17,956	18,399	16,690	17,461	19,906	23,727	26,037	26,681	25,494	24,594
Anne Arundel	13,123	12,671	10,730	11,592	13,198	16,501	18,250	18,257	17,024	15,792
Carroll	2,221	2,612	2,451	2,377	3,190	3,434	3,543	3,603	3,655	3,725
Howard	2,612	3,116	3,509	3,492	3,518	3,792	4,244	4,821	4,815	5,077
<u>Sixth Circuit</u>	11,572	12,653	13,123	13,589	17,139	18,465	19,651	20,837	22,276	23,698
Frederick	2,472	2,688	2,311	2,501	2,357	2,574	2,718	3,163	2,900	2,967
Montgomery <sup>d</sup>	9,100	9,965	10,812	11,088	14,782	15,891	16,933	17,674	19,376	20,731
<u>Seventh Circuit</u>	23,468	25,419	26,469	30,567	32,485	35,561	36,066	39,422	38,536	39,506
Calvert	1,013	1,352	1,640	1,294	1,156	1,317	1,467	1,585	1,539	1,580
Charles	2,212	2,497	2,724	2,694	3,126	3,010	3,195	3,804	3,533	3,647
Prince George's	19,054	20,152	20,415	25,100	26,551	29,653	29,916	32,542	31,842	32,630
St. Mary's	1,189	1,418	1,690	1,479	1,652	1,581	1,488	1,491	1,622	1,649
<u>Eighth Circuit</u>	55,364	56,517	53,013	41,499	42,894	43,209	47,128	50,695	47,807	48,535
Baltimore City	55,364	56,517	53,013	41,499 <sup>b</sup>	42,894	43,209	47,128	50,695	47,807	48,535
Statewide <sup>d</sup>	143,067	149,419	144,358	138,689	151,635	161,038	171,964	186,210	179,731	184,064

<sup>a</sup>During Fiscal 1981 and Fiscal 1982, reopened cases were counted when a hearing was held. In all other fiscal years, reopened cases are recorded at the time of the filing of the petition.

<sup>b</sup>Baltimore City changed its criminal counting procedures from individual charges to cases in July 1981. Cases are defined as charges arising out of a single incident.

<sup>c</sup>Fiscal Years 1986 and 1987 projections are based on a linear regression method of forecasting.

<sup>d</sup>Excludes juvenile causes heard in Montgomery County.

TABLE 3  
FILING TO DISPOSITION OF CASES TERMINATED  
IN FISCAL 1986, 1985, 1984, and 1983

	Average in Days - Filing to Disposition							
	All Criminal Cases				Excluding Cases Over 360 Days*			
	'83	'84	'85	'86	'83	'84	'85	'86
<u>First Circuit</u>								
Dorchester	132	147	175	140	132	147	132	113
Somerset	124	97	256	115	99	90	111	115
Wicomico	92	120	93	92	83	88	86	89
Worcester	166	146	123	123	128	129	117	110
<u>Second Circuit</u>								
Caroline	150	135	144	170	142	128	125	163
Cecil	205	168	166	164	173	143	157	159
Kent	130	161	170	140	121	161	159	129
Queen Anne's	225	186	125	150	149	131	123	123
Talbot	146	131	152	128	118	114	143	126
<u>Third Circuit</u>								
Baltimore	122	130	133	137	102	104	99	106
Harford	223	197	223	210	166	157	173	161
<u>Fourth Circuit</u>								
Allegany	135	154	151	163	98	110	126	144
Garrett	185	158	133	165	172	131	125	160
Washington	211	183	150	165	153	132	130	157
<u>Fifth Circuit</u>								
Anne Arundel	153	159	163	171	137	138	144	143
Carroll	215	224	208	192	161	160	167	150
Howard	124	150	168	150	107	125	131	131
<u>Sixth Circuit</u>								
Frederick	149	131	116	119	118	107	103	111
Montgomery	176	173	179	194	133	134	142	168
<u>Seventh Circuit</u>								
Calvert	146	112	100	115	123	101	96	105
Charles	166	194	162	160	134	83	152	154
Prince George's	171	142	114	117	131	120	104	109
St. Mary's	116	105	142	130	112	105	135	114
<u>Eighth Circuit</u>								
Baltimore City	165	148	115	93	131	121	93	76
Statewide	159	150	135	126	127	121	111	106

\*This column excludes older cases to give the reader an indication of what the average time would be eliminating those cases which perhaps should have been reported as terminated to the State information system. Approximately 90 to 95 percent of the cases are disposed within this time period.

TABLE 3 (contd.)  
FILING TO DISPOSITION OF CASES TERMINATED  
IN FISCAL 1986, 1985, 1984, and 1983

	Average in Days - Filing to Disposition							
	All Civil Cases				Excluding Cases Over 721 Days*			
	'83	'84	'85	'86	'83	'84	'85	'86
<u>First Circuit</u>								
Dorchester	175	417	279	472	105	145	147	141
Somerset	106	242	162	159	70	107	107	116
Wicomico	247	176	180	195	154	139	148	154
Worcester	258	274	211	193	183	176	175	174
<u>Second Circuit</u>								
Caroline	213	203	169	240	162	180	143	197
Cecil	298	174	193	181	168	143	153	152
Kent	200	168	173	140	163	130	129	107
Queen Anne's	177	174	126	191	148	147	88	160
Talbot	155	160	216	208	112	124	155	158
<u>Third Circuit</u>								
Baltimore	401	326	310	299	237	223	216	210
Harford	272	261	269	248	187	174	182	176
<u>Fourth Circuit</u>								
Allegany	530	244	443	328	237	164	261	232
Garrett	270	243	220	196	191	183	192	189
Washington	256	238	332	240	188	153	179	170
<u>Fifth Circuit</u>								
Anne Arundel	347	370	236	248	202	202	173	184
Carroll	397	260	263	322	163	161	147	151
Howard	446	390	434	288	233	263	261	225
<u>Sixth Circuit</u>								
Frederick	216	214	224	243	170	152	169	173
Montgomery	734	598	622	405	224	217	223	245
<u>Seventh Circuit</u>								
Calvert	285	216	228	274	180	151	170	189
Charles	232	216	226	240	197	183	181	193
Prince George's	354	468	350	317	237	249	246	241
St. Mary's	192	181	202	202	166	161	178	184
<u>Eighth Circuit</u>								
Baltimore City	253	265	252	303	174	206	187	194
Statewide	375	364	328	299	204	208	200	204

\*This column excludes older cases to give the reader an indication of what the average time would be eliminating those cases which perhaps should have been reported as terminated to the State information system. Approximately 90 to 95 percent of the cases are disposed within this time period.

TABLE 3 (contd.)  
 FILING TO DISPOSITION OF CASES TERMINATED  
 IN FISCAL 1986, 1985, 1984, and 1983

	Average in Days - Filing to Disposition							
	All Juvenile Cases				Excluding Cases Over 271 Days*			
	'83	'84	'85	'86	'83	'84	'85	'86
<u>First Circuit</u>								
Dorchester	33	72	37	54	33	37	37	32
Somerset	60	12	66	25	49	12	26	14
Wicomico	31	33	32	37	29	30	32	34
Worcester	64	71	55	65	52	51	47	59
<u>Second Circuit</u>								
Caroline	63	117	65	50	45	47	59	50
Cecil	52	43	71	46	42	42	48	46
Kent	25	29	73	38	25	29	65	38
Queen Anne's	30	37	44	82	27	37	40	35
Talbot	52	106	52	69	48	42	52	69
<u>Third Circuit</u>								
Baltimore	76	81	54	63	62	61	43	51
Harford	88	62	78	74	67	53	48	55
<u>Fourth Circuit</u>								
Allegany	35	30	32	39	27	27	29	38
Garrett	39	56	32	51	36	31	32	51
Washington	44	45	36	43	37	40	36	43
<u>Fifth Circuit</u>								
Anne Arundel	137	107	91	80	87	85	82	74
Carroll	72	78	78	74	69	68	68	69
Howard	94	145	82	74	75	102	71	64
<u>Sixth Circuit</u>								
Frederick	98	81	59	69	65	65	59	68
Montgomery	129	125	161	115	88	77	92	85
<u>Seventh Circuit</u>								
Calvert	97	107	105	122	73	70	73	77
Charles	99	67	116	68	66	62	65	66
Prince George's	51	61	104	76	46	49	63	64
St. Mary's	76	65	88	134	66	59	81	73
<u>Eighth Circuit</u>								
Baltimore City	72	78	86	90	58	62	63	68
Statewide	79	81	90	83	61	61	64	66

\*This column excludes older cases to give the reader an indication of what the average time would be eliminating those cases which perhaps should have been reported as terminated to the State information system. Approximately 90 to 95 percent of the cases are disposed within this time period.

TABLE 4

MARYLAND POPULATION CHANGE BETWEEN 1970 AND 1980 CENSUS  
AND POPULATION PROJECTIONS THROUGH JULY 1, 1987

Circuit/ Jurisdiction	Actual Population		Actual Annual Rate of Change	Population Projections		Projected Annual Rate of Change <sup>c</sup>
	April 1, 1970	April 1, 1980		July 1, 1980 <sup>a</sup>	July 1, 1987 <sup>b</sup>	
<u>First Circuit</u>	127,007	145,240	1.44	145,700	155,200	.46
Dorchester	29,405	30,623	0.41	30,650	30,200	-.10
Somerset	18,924	19,188	0.14	19,200	18,200	-.36
Wicomico	54,236	64,540	1.9	64,800	70,700	.64
Worcester	24,442	30,889	2.64	31,050	36,100	1.14
<u>Second Circuit</u>	131,322	151,380	1.53	151,890	167,900	.74
Caroline	19,781	23,143	1.7	23,230	24,400	.35
Cecil	53,291	60,430	1.34	60,610	69,500	1.03
Kent	16,146	16,695	0.34	16,710	16,900	.08
Queen Anne's	18,422	25,508	3.85	25,690	29,900	1.15
Talbot	23,682	25,604	0.81	25,650	27,200	.42
<u>Third Circuit</u>	735,787	801,545	0.89	803,190	844,900	.36
Baltimore	620,409	655,615	0.57	656,500	693,600	.40
Harford	115,378	145,930	2.65	146,690	151,300	.22
<u>Fourth Circuit</u>	209,349	221,132	0.56	220,400	217,400	-.10
Allegany	84,044	80,548	-0.42	80,460	76,700	-.33
Garrett	21,476	27,498	2.34	26,620	27,400	.21
Washington	103,829	113,086	0.89	113,320	113,300	-.001
<u>Fifth Circuit</u>	429,442	585,703	3.64	589,610	664,100	.88
Anne Arundel	298,042	370,775	2.44	372,590	409,500	.69
Carroll	69,006	96,356	4.0	97,040	110,600	.98
Howard	62,394	118,572	9.0	119,980	144,000	1.40
<u>Sixth Circuit</u>	607,736	693,845	1.42	695,460	771,200	.76
Frederick	84,927	114,792	3.52	115,000	133,800	1.14
Montgomery	522,809	579,053	1.08	580,460	637,400	.69
<u>Seventh Circuit</u>	777,467	832,355	0.71	833,740	878,100	.37
Calvert	20,682	34,638	6.75	34,990	43,000	1.60
Charles	47,678	72,751	5.26	73,380	89,700	1.56
Prince George's	661,719	665,071	0.05	665,160	675,500	.11
St. Mary's	47,388	59,895	2.64	60,210	69,900	1.13
<u>Eighth Circuit</u>						
Baltimore City	905,787	786,775	-1.31	783,800	755,000	-.26
STATEWIDE	3,923,897	4,217,975	0.75	4,223,790	4,453,800	.38

SOURCES: Maryland Vital Statistics Annual Report, 1980, and Maryland Population Report July 1, 1980.  
Projections to 1988, Department of Health and Mental Hygiene, Center for Health Statistics.

<sup>a</sup>The July 1, 1980 population estimate was prepared by the Center for Health Statistics by adding to the 1980 census population (April 1, 1980) 1/40th the change between the 1970 and 1980 censuses for each political subdivision. The subdivisions were then summed to obtain the total state population.

<sup>b</sup>Change in population from one year to the next is dependent upon two factors -- natural increase and net migration. Natural increase is the excess of births over deaths. Net migration is the difference between the number of people moving into an area and the number moving out. For further information, see source documents above.

<sup>c</sup>Brackets indicate a negative projected annual rate of change.

TABLE 5  
COMPARATIVE WORKLOAD MEASURES PER CIRCUIT COURT JUDGE<sup>a</sup>  
(Fiscal Year 1986)

Jurisdiction (Number of Judges)	(1) Filings Per Judge (Rank)	(2) Pending Cases Per Judge (Rank)	(3) Dispositions Per Judge (Rank)	(4) Population <sup>b</sup> Per Judge (Rank)	(5) Attorney/Judge Ratio <sup>c</sup>
<u>First Circuit</u>					
Dorchester (1)	1,837 (5)	649 (15)	1,960 (1)	30,200 (17)	23 (21)
Somerset (1)	940 (22)	416 (20)	898 (21)	18,300 (22)	13 (24)
Wicomico (2)	1,322 (13)	566 (16)	1,188 (10)	34,850 (14)	49 (11)
Worcester (2)	1,066 (16)	556 (18)	986 (16)	17,600 (23)	37 (15)
<u>Second Circuit</u>					
Caroline (1)	977 (19)	368 (21)	986 (17)	24,200 (21)	22 (23)
Cecil (2)	1,188 (15)	665 (14)	1,061 (13)	34,050 (15)	32 (20)
Kent (1)	551 (24)	294 (23)	427 (24)	16,900 (24)	34 (18)
Queen Anne's (1)	944 (21)	366 (22)	909 (19)	29,200 (18)	41 (14)
Talbot (1)	1,043 (18)	529 (19)	905 (20)	27,200 (20)	86 (6)
<u>Third Circuit</u>					
Baltimore (13)	1,780 (7)	1,551 (6)	1,503 (8)	52,931 (3)	153 (3)
Harford (4)	1,338 (12)	1,914 (2)	1,030 (15)	37,750 (11)	57 (9)
<u>Fourth Circuit</u>					
Allegany (2)	968 (20)	876 (10)	777 (22)	38,650 (10)	36 (16)
Garrett (1)	684 (23)	288 (24)	692 (23)	27,300 (19)	23 (22)
Washington (3)	1,342 (11)	726 (13)	1,182 (11)	37,733 (12)	36 (17)
<u>Fifth Circuit</u>					
Anne Arundel (9)	2,029 (3)	1,716 (3)	1,608 (6)	44,911 (5)	93 (5)
Carroll (2)	1,802 (6)	1,318 (7)	1,664 (5)	54,350 (2)	69 (8)
Howard (4)	1,205 (14)	973 (8)	1,052 (14)	35,200 (13)	137 (4)
<u>Sixth Circuit</u>					
Frederick (3)	1,054 (17)	557 (17)	934 (18)	43,633 (6)	50 (10)
Montgomery <sup>d</sup> (13)	1,360 (10)	1,712 (4)	1,101 (12)	48,554 (4)	253 (1)
<u>Seventh Circuit</u>					
Calvert (1)	1,585 (8)	835 (12)	1,582 (7)	41,800 (9)	45 (13)
Charles (2)	1,902 (4)	929 (9)	1,775 (3)	43,600 (7)	34 (19)
Prince George's (16)	2,034 (2)	1,696 (5)	1,666 (4)	42,206 (8)	72 (7)
St. Mary's (1)	1,491 (9)	850 (11)	1,400 (9)	68,200 (1)	48 (12)
<u>Eighth Circuit</u>					
Baltimore City (23)	2,204 (1)	3,555 (1)	1,803 (2)	33,009 (16)	184 (2)
State (109)	1,708	1,804	1,429	40,582	123

<sup>a</sup>The number of judges used in developing the rankings in this chart is based on the number authorized in Fiscal 1986 (109 statewide).

<sup>b</sup>Population estimate for July 1, 1986, issued by the Maryland Center for Health Statistics.

<sup>c</sup>Attorney statistics obtained from the Administrator of the Clients' Security Trust Fund of the Bar of Maryland as of July 1, 1986. Out-of-state attorneys are not included in these ratios.

<sup>d</sup>Excludes juvenile cases in Montgomery County District Court.

TABLE 6  
COMPARED RANKING OF VARIOUS FACTORS AFFECTING JUDGESHIP ALLOCATION

	Ranking of Predictive Factors				Ranking of Performance Factors (Inverted Ranking Used <sup>a</sup> to Show Longest Times)		
	Filings	Popu- lation	Pending Cases	Attorneys	Time/ Civil	Time/ Criminal	Time/ Juvenile
<u>First Circuit</u>							
Dorchester	5	17	15	21	141 (22)	113 (17)	32 (23)
Somerset	22	22	20	24	116 (23)	115 (15)	14 (24)
Wicomico	13	14	16	11	154 (19)	89 (23)	34 (22)
Worcester	16	23	18	15	174 (14)	110 (19)	59 (12)
<u>Second Circuit</u>							
Caroline	19	21	21	23	197 (6)	163 (2)	50 (16)
Cecil	15	15	14	20	152 (20)	159 (5)	46 (17)
Kent	24	24	23	18	107 (24)	129 (12)	38 (19)
Queen Anne's	21	18	22	14	160 (17)	123 (14)	35 (21)
Talbot	18	20	19	6	158 (18)	126 (13)	69 (5)
<u>Third Circuit</u>							
Baltimore	7	3	6	3	210 (5)	106 (21)	51 (14)
Harford	12	11	2	9	176 (13)	161 (3)	55 (13)
<u>Fourth Circuit</u>							
Allegany	20	10	10	16	232 (3)	144 (9)	38 (20)
Garrett	23	19	24	22	189 (9)	160 (4)	51 (15)
Washington	11	12	13	17	170 (16)	157 (6)	43 (18)
<u>Fifth Circuit</u>							
Anne Arundel	3	5	3	5	184 (11)	143 (10)	74 (3)
Carroll	6	2	7	8	151 (21)	150 (8)	69 (6)
Howard	14	13	8	4	225 (4)	131 (11)	64 (10)
<u>Sixth Circuit</u>							
Frederick	17	6	17	10	173 (15)	111 (18)	68 (7)
Montgomery	10	4	4	1	245 (1)	168 (1)	85 (1)
<u>Seventh Circuit</u>							
Calvert	8	9	12	13	189 (10)	105 (22)	77 (2)
Charles	4	7	9	19	193 (8)	154 (7)	66 (9)
Prince George's	2	8	5	7	241 (2)	109 (20)	64 (11)
St. Mary's	9	1	11	12	184 (12)	114 (16)	73 (4)
<u>Eighth Circuit</u>							
Baltimore City	1	16	1	2	194 (7)	76 (24)	68 (8)

<sup>a</sup>Lower number indicates greater need for judgeship. (So, for example, a number one ranking of a predictive factor would indicate a higher amount of volume whereas a number one ranking of a performance factor would indicate a slower ability to handle workload.)



TABLE 7  
COLLECTIVE RANKING OF JURISDICTIONS  
BY BOTH PREDICTIVE AND PERFORMANCE FACTORS\*\*  
(FISCAL 1986)

Summary of Predictive Factors by Jurisdiction*		Summary of Performance Factors by Jurisdiction*	
1. Baltimore City	( 5.75 )	1. Montgomery County	( 1.0 )
2. Anne Arundel County	( 6.25 )	2. Charles County	( 8.0 )
3. Prince George's County	( 7.75 )	3. Anne Arundel County	( 8.0 )
4. Baltimore County	( 9.75 )	4. Caroline County	( 8.0 )
5. Carroll County	(10.5 )	5. Howard County	( 8.33 )
6. Montgomery County	(10.75 )	6. Garrett County	( 9.33 )
7. Charles County	(14.0 )	7. Harford County	( 9.67 )
8. Harford County	(15.0 )	8. St. Mary's County	(10.67 )
9. St. Mary's County	(15.5 )	9. Allegany County	(10.67 )
10. Calvert County	(17.5 )	10. Prince George's County	(11.0 )
11. Howard County	(18.75 )	11. Calvert County	(11.33 )
12. Dorchester County	(20.75 )	12. Carroll County	(11.67 )
13. Washington County	(22.0 )	13. Talbot County	(12.0 )
14. Wicomico County	(24.0 )	14. Baltimore City	(13.0 )
15. Frederick County	(25.25 )	15. Washington County	(13.33 )
16. Allegany County	(26.5 )	16. Baltimore County	(13.33 )
17. Cecil County	(27.0 )	17. Frederick County	(13.33 )
18. Talbot County	(29.5 )	18. Cecil County	(14.0 )
19. Worcester County	(30.5 )	19. Worcester County	(15.0 )
20. Queen Anne's County	(34.75 )	20. Queen Anne's County	(17.33 )
21. Caroline County	(35.75 )	21. Kent County	(18.33 )
22. Somerset County	(38.0 )	22. Dorchester County	(20.67 )
23. Garrett County	(39.5 )	23. Somerset County	(20.67 )
24. Kent County	(40.0 )	24. Wicomico County	(21.33 )

\*Collective ranking determined by assigning a weight of three to filings per judge, a weight of one to population per judge, a weight of two to pending cases per judge, and a weight of one to attorney/judge ratio.

\*Collective ranking determined by assigning an equal weight (of one) to the filing to disposition times of criminal, law, equity, and juvenile cases. (Inverted ranking to show longest times.)

\*\*Lower number indicates greater need for judgeship so, for example, a number one ranking of a predictive factor would indicate a higher amount of volume whereas a number one ranking of a performance factor would indicate a slower ability to handle workload. If a jurisdiction is listed near the top of both lists, then this shows that a relatively strong need exists for a judge based on the variables considered.

TABLE 8  
PROJECTED NUMBER OF JUDGES NEEDED IN CIRCUIT COURTS

	Projected Filings 1988 <sup>a</sup>	No. of Judges	No. of Masters and Judges Cross-designated <sup>b</sup>	Adjusted Number Judicial Officers	Average Projected No. of Filings Per Judicial Officer 1988	Judicial Officers by Standard <sup>c</sup>	Addtl. Judges Needed <sup>d</sup>
<b>First Circuit</b>							
Dorchester	1,647	1	0	1.0	1,653	1.6	0.6
Somerset	964	1	0	1.0	964	1.0	0.0
Wicomico	2,611	2	0	2.0	1,306	2.6	0.6
Worcester	2,056	2	0	2.0	1,028	2.1	0.1
Circuit Total	7,278	6	0	6.0	1,214	7.3	1.3
<b>Second Circuit</b>							
Caroline	1,018	1	0	1.0	1,018	1.0	0.0
Cecil	2,638	2	0.2	2.2	1,199	2.6	0.4
Kent	464	1	0	1.0	464	0.5	(0.5)
Queen Anne's	1,129	1	0	1.0	1,129	1.1	0.1
Talbot	1,141	1	0	1.0	1,141	1.1	0.1
Circuit Total	6,390	6	0.2	6.2	1,031	6.3	0.1
<b>Third Circuit</b>							
Baltimore	22,513	13	2.5	15.5	1,452	17.3	1.8
Harford	5,540	4	.6	4.6	1,204	5.0	0.4
Circuit Total	28,053	17	3.1	20.1	1,395	22.3	2.2
<b>Fourth Circuit</b>							
Allegany	1,554	2	0	2.0	777	1.6	(0.4)
Garrett	715	1	0	1.0	715	0.7	(0.3)
Washington	3,741	3	0	3.0	1,247	3.7	0.7
Circuit Total	6,010	6	0	6.0	1,001	6.0	0.0
<b>Fifth Circuit</b>							
Anne Arundel	15,792	9	3.0	12.0	1,316	13.2	1.2
Carroll	3,725	2	.6	2.6	1,432	3.7	1.1
Howard	5,077	4	1.0	5.0	1,015	4.6	(0.4)
Circuit Total	24,594	15	4.6	19.6	1,254	21.5	1.9
<b>Sixth Circuit</b>							
Frederick	2,967	3	0	3.0	989	3.0	0.0
Montgomery	20,881	13	4.0	17.0	1,228	16.1	(0.9)
Circuit Total	23,848	16	4.0	20.0	1,192	19.1	(0.9)
<b>Seventh Circuit</b>							
Calvert	1,580	1	0	1.0	1,580	1.6	0.6
Charles	3,647	2	0	2.0	1,823	3.6	1.6
Prince George's	32,630	16	6.0	22.0	1,483	23.3	1.3
St. Mary's	1,649	1	.2	1.2	1,374	1.6	0.4
Circuit Total	39,506	20	6.2	26.2	1,507	30.1	3.9
<b>Eighth Circuit</b>							
Baltimore City	48,535	23	12.1	35.1	1,382	34.7	(0.4)

<sup>a</sup>Both Harford and Montgomery Counties have no Orphans' Court and disposition of these matters is handled directly by the Circuit Court judges. Approximately 15 hearings were added to Harford County's projection and 150 hearings to Montgomery County's projection for Fiscal 1988.

<sup>b</sup>Juvenile masters in some jurisdictions here only considered a percentage of a judicial officer because of the number of filings handled yearly by these individuals. Also, in Cecil and Wicomico Counties, District Court judges are cross-designated to hear juvenile matters in the circuit court. This amounts to about one day a week or 0.2 of a judge. (Note: In Wicomico County, when the District Court judge sits in juvenile court, the circuit court judge sits in the District Court. Therefore, no adjustments in the total number of judicial officers are needed.) Judgeship count for Baltimore City includes one District Court judge who is assigned to the Circuit Court of Baltimore City on an annual basis for about 8-1/2 months. This amounts to about .7 of additional judicial assistance yearly. Also included in the number of temporary judicial officers are retired judges who are recalled in some jurisdictions for settlement conferences.

<sup>c</sup>The scale utilized for this column in Fiscal 1988 is as follows: 1000 filings - 1 to 3 judicial officers; 1100 filings - 4 to 8 judicial officers; 1200 filings - 9 to 14 judicial officers; 1300 filings - 15 to 19 judicial officers; 1400 filings - 20 or more judicial officers.

<sup>d</sup>A need for additional judgeships is shown by a number without parentheses, whereas, a surplus in judgeships is shown by a number in parentheses.

First Judicial Circuit  
of Maryland  
Princess Anne, Maryland 21853  
(301) 651-1630

Exhibit B-1

Lloyd L. Simpkins  
Judge

December 29, 1986

Honorable Robert C. Murphy  
Chief Judge, Court of Appeals  
Court of Appeals Bldg.  
361 Rowe Blvd.  
Annapolis, Maryland 21401

Re: Request for Additional Judge  
First Judicial Circuit

Dear Chief Judge Murphy:

This letter is in response to the "Statistical Needs Analysis for New Judgeships" received from your office recently. I am requesting an additional Judge for this Circuit effective January 1, 1988. The new judge would be for Wicomico County, with the understanding that initially he would divide his time primarily between Wicomico and Dorchester Counties.

As your report points out, Dorchester County is the busiest one judge court in the State. At present it has a need for 1.6 judges. Wicomico County presently has a need for 2.6 judges. At present we have three judges in those two counties and have need for 4.2. The number of filings in Dorchester County alone has increased 41% in the last two years.

Within the past few years we have been taking care of the additional needs of the two counties by using retired judges and using judges from Somerset and Worcester counties as their case loads permit. I set an average of eight days per month in Wicomico County as well as a day or so each month in Dorchester. We will continue to try to man the two courts in this manner in the future, however, with the opening of the new prison in Somerset County in July of 1987, we will be "between a rock and a hard place".

I am advised by the prison officials that once the prison is in full operation in the Fall of next year it will generate sufficient court work to require two court days per week. When that occurs, I will no longer have the time to devote to the needs of Wicomico and Dorchester counties.

At present the courthouse in Dorchester County has two courtrooms, one jury and one non-jury. Wicomico presently has three courtrooms, two jury and one non-jury. That county is also making plans to enlarge the courthouse and expects to have five courtrooms within about three years.

If we are successful in obtaining an additional judge, starting in January, 1988, I visualize using him by having him assigned to Dorchester for two weeks, Wicomico for two weeks, and alternating in that fashion. The problem of an additional reporter can easily be handled by an agreement between the County governments, as we have done in the past.

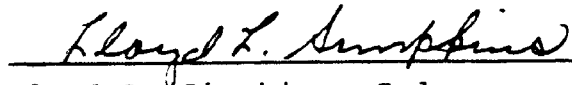
To restate our position, we have need for an additional judge at present. The need will greatly intensify with the opening of the new prison in Somerset and our ability to cope with the situation will diminish when the prison is in full operation.

My request to you is to seek the legislative authority during this session of the Legislature, with the understanding that the Governor will fill the vacancy in January, 1988.

I have discussed this matter with all of the judges in the Circuit and all concur in this request. We feel that for the next twelve months we can handle the situation by shifting our judges around and, with your permission, making use of retired judges. After next Fall such options will not be open to us.

We all appreciate anything that you can do to help with this request.

Respectfully,

  
Lloyd L. Simpkins, Judge

LLS/lf

cc: First Judicial Circuit Judges  
Somerset, Worcester, Wicomico, and Dorchester Co. Governments  
Senator-Elect Lewis R. Riley  
Senator Frederick C. Malkus, Jr.  
Delegate Daniel M. Long  
Delegate Samuel Q. Johnson, III  
Delegate-Elect Norman H. Conway  
Delegate Mark O. Pilchard  
Delegate Richard F. Colburn  
Richard H. Outten, Court Administrator  
James H. Norris, Jr., State Court Administrator



CHAMBERS OF  
DONALD F. JOHNSON  
ASSOCIATE JUDGE

## The Circuit Court for Dorchester County

FIRST JUDICIAL CIRCUIT OF MARYLAND

P. O. BOX 583

CAMBRIDGE, MARYLAND 21613

TELEPHONE  
301 228 6300

December 10, 1986

The Honorable Lloyd L. Simpkins  
Court House  
Princess Anne, Maryland 21853

Re: Need for New Judgeship

Dear Judge Simpkins:

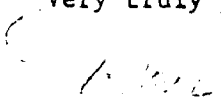
In the last two years the number of filings in the Circuit Court for Dorchester County has increased from 1,305 to 1,837. This represents an increase of 41%. Although the employees of the court and the clerk's office are very dedicated to their jobs and have been putting forth their maximum effort the increasing caseload is straining our ability to process cases in an orderly and timely fashion.

Due to a heavy trial docket, I have very little time for chambers work and practically no time for keeping current with the decisions of the appellate courts.

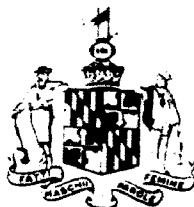
As you are probably aware, according to the most recent Statistical Needs Analysis For New Judgeships, both Dorchester and Wicomico Counties show an additional need of 0.6 judges. When combined, the needs of the Circuit Courts for the two counties more than justify the creation of an additional judgeship.

Recently, I had an opportunity to discuss this matter with Judge Truitt. It was our belief that an additional judgeship should be created with the idea that the new judge would divide his time between our two counties. It is my hope that in the event an additional judgeship is created the new judge would be assigned to Dorchester County at least two days a week.

Very truly yours,

  
Donald F. Johnson  
Judge

DFJ/pt



The Second Judicial Circuit of Maryland

CIRCUIT COURT FOR KENT COUNTY

GEORGE B. RASIN, JR.  
CHIEF JUDGE  
CIRCUIT ADMINISTRATIVE JUDGE

COURT HOUSE  
CHESTERTOWN, MARYLAND 21620  
301-776-4600/2489

November 12, 1986

James H. Norris, Jr., Esquire  
State Court Administrator  
Administrative Office of the Courts  
Courts of Appeal Building  
361 Rowe Boulevard  
Post Office Box 431  
Annapolis  
Maryland  
21404

Dear Jim:

Reference is made to your memorandum of November 6, 1986, concerning the needs for new judgeships.

As I have reported in previous years, at this time, the Second Judicial Circuit is not in need of additional judges. However, there may come a time in the future when Cecil County will need an additional judge.

In addition, Talbot County is increasing its judicial business. Perhaps, as suggested in your memorandum, the large number of lawyers in that county may contribute to that fact. Queen Anne's County is growing in population and the day may come when the judicial business may be too much for one circuit judge.

With kindest personal regards,

Sincerely,

A handwritten signature in dark ink, appearing to read "George B. Rasin, Jr.", with a stylized flourish at the end.

George B. Rasin, Jr.  
Judge

GBR./pab

cc: The Honorable Robert C. Murphy, Chief Judge

Mr. Roger P. Mooney  
Circuit Administrator



Exhibit B-3

## The Circuit Court for Baltimore County

THIRD JUDICIAL CIRCUIT OF MARYLAND

FRANK E. CICONE  
ADMINISTRATIVE JUDGE

December 1, 1986

COUNTY COURTS BUILDING  
TOWSON, MARYLAND 21204  
(301) 494-2500

Honorable Robert C. Murphy  
Chief Judge  
Court of Appeals  
County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204

RE: Statistical Analysis  
Fiscal 1988

Dear Chief Judge Murphy:

In response to the Statistical Needs Analysis for New Judgeships in the Circuit Courts - 1987 Session, we find ourselves in agreement with its findings that recommend at least one additional judgeship in fiscal year 1988 for Baltimore County.

As additional support for the report's conclusions, Baltimore County experienced a 14.6% increase in total Circuit Court filings which represents the largest relative increase in any metropolitan county for FY '86 (exhibit A). Equally striking are the court's termination volumes which have increased over 11% from the last fiscal year and exceeds the rates in comparable jurisdictions (exhibit B).

Civil filings have increased by 7.5% with a corresponding 3% increase in terminations. We have worked strenuously and sought innovative means to address this considerable increase. However, we are now confronted with a virtual explosion in asbestos litigation which because of their complexity and protracted nature, is straining our present resources.

Further examination reveals a 27.1% increase in criminal filings which is attributable in part to the increased rate of prayers for jury trials from the District Court. In addition, the Court has experienced an inflation in serious criminal litigation involving capital cases, drug cases and drug-related offenses. On the other hand, we are delighted to report that we have recorded the largest relative increase in criminal terminations at 19.2%.

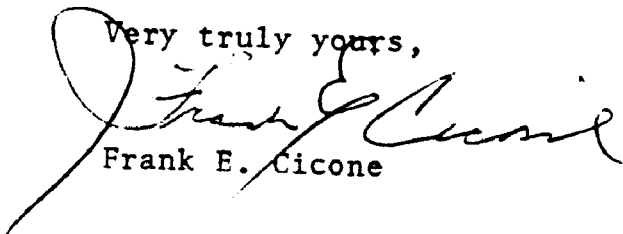
Honorable Robert C. Murphy

page 2

We energetically have attempted to manage these swelling caseloads while maintaining high disposition rates and preventing any growth in backlog. However, it has become increasingly difficult to effectively manage the caseload within the limits of present judicial manpower. The weight of these mounting caseloads have placed a heavy strain on our judges and Clerk's Office which cannot continue. Borne out of your statistical analysis and reinforced by our experience, we are in need of at least one additional judgeship to meet the demands of the projected levels of work confronting the Court.

We are hereby respectfully requesting one additional judge, even though statistics support a greater need.

Very truly yours,

  
Frank E. Cicone

FEC:ems

Attachments (2)



Circuit Court FilingsCriminal Filings

	<u>FY '85</u>	<u>FY '86</u>	<u>+ %</u>
Baltimore County	5799	7374	+27.1
Anne Arundel County	2562	2822	+10.1
Montgomery County	4978	4806	- 3.4
Prince George's County	6707	7138	+ 6.4
Baltimore City	13430	15129	+12.6

Civil Filings

Baltimore County	11200	12044	+ 7.5
Anne Arundel County	12645	11967	- 5.3
Montgomery County	11955	12358	+ 3.3
Prince George's County	18046	19309	+ 6.9
Baltimore City	23348	24187	+ 3.5

Juvenile Filings

Baltimore County	3177	3719	+17.0
Anne Arundel County	3043	3468	+13.9
Montgomery County	3821	3689	- 3.4
Prince George's County	5163	6095	+18.0
Baltimore City	10350	11379	+ 9.9

Total Filings

Baltimore County	20176	23137	+14.6
Anne Arundel County	18250	18257	+ 0.03
Montgomery County	20754	20853	+ 0.4
Prince George's County	29916	32542	+ 8.7
Baltimore City	47128	50695	+ 7.5

(exhibit B)

Circuit Court Terminations

Criminal Terminations

	<u>FY '85</u>	<u>FY '86</u>	<u>+ %</u>
Baltimore County	4967	5924	+19.2
Anne Arundel County	2313	2413	+ 4.3
Montgomery County	3971	3678	- 7.3
Prince George's County	6038	6497	+ 7.6
Baltimore City	13772	14859	+ 7.8

Civil Terminations

Baltimore County	9472	9758	+ 3.0
Anne Arundel County	10369	8810	-15.0
Montgomery County	11573	10374	-10.3
Prince George's County	13729	14269	+ 3.9
Baltimore City	18076	16367	- 9.4

Juvenile Terminations

Baltimore County	3076	3861	+25.5
Anne Arundel County	3155	3246	+ 2.8
Montgomery County	3628	3776	+ 4.0
Prince George's County	5333	5894	+10.5
Baltimore City	9379	10245	+ 9.0

Total Terminations

Baltimore County	17515	19543	+11.5
Anne Arundel County	15837	14469	- 8.6
Montgomery County	19172	17828	- 7.0
Prince George's County	25100	26660	+ 6.2
Baltimore City	41227	41471	+ 0.5



FRED C. WRIGHT III  
ASSOCIATE JUDGE  
FOURTH JUDICIAL CIRCUIT  
OF MARYLAND

COURT HOUSE  
HAGERSTOWN, MD. 21740  
TELEPHONE (301) 791-3111

December 2, 1986

Honorable Robert C. Murphy  
Administrative Office of the Courts  
Courts of Appeal Building  
Annapolis, Md 21401

Dear Judge Murphy:

We have no present need for additional judicial support  
in the Fourth Judicial Circuit.

Respectfully,

A handwritten signature in dark ink, appearing to read "Fred C. Wright, III".

Fred C. Wright, III  
Administrative Judge

FCW/cbl

STATE OF MARYLAND  
FIFTH JUDICIAL CIRCUIT  
ANNE ARUNDEL COUNTY COURTHOUSE  
ANNAPOLIS  
21401

RAYMOND G. THIEME, JR.  
CIRCUIT ADMINISTRATIVE JUDGE

December 22, 1986

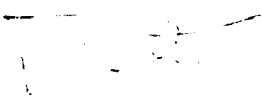
TELEPHONE 301 224-1200

Honorable Robert C. Murphy  
Chief Judge  
Court of Appeals  
Courts of Appeal Building  
Rowe Boulevard  
Annapolis, Maryland 21401

Dear Judge Murphy:

I am informed that Carroll County is again requesting an additional judgeship. Since any additional meaningful impact on the present caseload in Carroll County can only be made in this manner, I support this request.

Sincerely,

  
Raymond G. Thieme, Jr.

RGT:pjr

cc: Honorable Donald J. Gilmore  
T. Gordon Fitzhugh, Court Administrator

SIXTH JUDICIAL CIRCUIT  
OF MARYLAND  
ROCKVILLE, MARYLAND 20850

JOHN J. MITCHELL  
CHIEF JUDGE

1301 251-7590

December 2, 1986

Honorable Robert C. Murphy  
Chief Judge, Court of Appeals of Maryland  
Courts of Appeals Building  
361 Rowe Boulevard  
Annapolis, Maryland 21401

Re: New Judgeship - Fiscal 1988

Dear Chief Judge Murphy:

In response to Mr. Norris' memorandum of November 6, 1986, I am requesting your certification to the General Assembly of the need for an additional judge for the Circuit Court in Montgomery County, Maryland. The request is made after an evaluation of the past year and projections for the current year which will be touched upon as this letter proceeds.

I wish to give you an analysis of our civil calendar as it relates to the mandatory settlement conference requirement and certitude of scheduling. This review is of the Fiscal Years 1981 and 1985. FY 1981 was the first full year of the system for the entire civil calendar (Law and Equity), and FY 1985 was the last full year. The scheduling index during the five year period was stable.

In FY 1981, there were 4,265 cases with firm, final scheduled trial dates. Of these cases, there were announced settlements prior to or at calendar call in 1,578 cases. Total settlements prior to trial were 3,121 (representing 73% of the scheduled cases and 80% of the dispositions). In FY 1985, there were 4,442 cases with firm, final scheduled trial dates, and of these cases, there were announced settlements prior to or at calendar call in 2,221 cases. Total settlements prior to trial were 3,523 (representing 79% of the scheduled cases and 85.5% of the dispositions). It is apparent that the attorney-achieved-settlements have increased 12.8%. Settlements prior to calendar call have increased 40.7%.

The records reflect that total dispositions increased 5.8% from 3,893 to 4,119. This was accomplished with a reduction of 22.7% in the number of dispositions requiring trial from 772 to 596. Also, the number of scheduled cases continued for any reason was reduced 14.7% from 850 to 725.

I feel that our progress is reflected in Table 3 (Filing to Disposition of Cases Terminated FY 1983 to 1986). You will note a reduction of 734 days to 405 days. The creeping increase is in the complex trials showing the increase from 224 days to 245 days.

This Court has been inundated by jury prayers filed in motor vehicle and criminal cases originating in the District Court. These cases are tried each Wednesday. I have called that docket for the past three months and attest that the cases range from a low of 110 cases to a high of 163 cases. At times, I have to remove judges from civil assignments to handle the overflow.

This problem will now be exacerbated by the Special Grand Jury's Report on drug abuse. The grand jury, police and State's Attorney theorize that arrests and prosecutions of all drug possession cases will have a major impact on drug sellers. Arrests and prosecutions of all drug possession cases will have a major impact on the number of cases removed to the Circuit Court. I anticipate an impact comparable to the crackdown on drunken drivers.

You know of the First Maryland Savings and Loan trial scheduled to commence August 31, 1987. Trial estimate of this jury trial is two to six months. I have designated a judge to conduct that trial. A very comparable case concerning Community Savings and Loan is in the wings. Finally, there are some 29 suits concerning Eastern Indemnity Company now pending. These are expected to be consolidated for a trial that will last for several months. Protracted litigation and increased filings are having a definite effect on the court's desire to move cases with fairness and dispatch. A review of the predictive factors and performance factors in Table 7 of the Statistical Summaries reasonable reflects the court's position.

The concern and support of the local government is demonstrated by the existence of four full-time Domestic Relations Masters and a full support staff. During the first six months of 1986, the Masters conducted 4,109 hearings.

Most recently, the Department of Social Services has transferred all of its Non-Support cases to the Court's Family Service Division. I have two judges assigned to hear these cases and certify that a minimum of 220 URESA, Non Support, Child Support, Paternity and contempt hearings are docketed each month. I do not believe that these cases are reflected in any of the summaries prepared by the Administrative Office of the Courts.

There is no problem concerning physical facilities for an additional judge. I have requested funding for an additional secretary and law clerk/bailiff in my budget request of the local government. The request for an additional judge will be supported by the county government, the legislative delegation and the Bar Association of Montgomery County.

My colleagues and I do appreciate your concerns for and support of the Circuit Court for Montgomery County. As indicated at the outset, this request has not been made without great thought and deliberation.

Very truly yours,

  
JOHN J. MITCHELL  
Circuit Administrative Judge

JJM:mr

Seventh Judicial Circuit of Maryland

COURT HOUSE

UPPER MARLBORO, MARYLAND 20772

ERNEST A. LOVELESS, JR.  
CHIEF JUDGE  
CIRCUIT ADMINISTRATIVE JUDGE

301) 952-4093

December 9, 1986

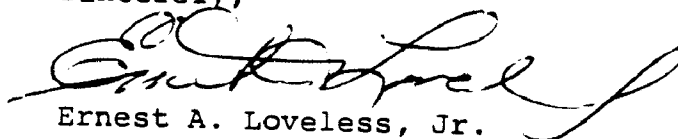
The Honorable Robert C. Murphy  
County Courts Building  
Towson, Maryland 21204

Dear Judge Murphy:

In response to Jim Norris' letter of November 6, 1986, I would again ask for an additional judge for Charles County. My request is predicated upon the same reasons as indicated in my letter of December 6, 1985.

It is my further understanding that Judge Bowling has already written to you on this matter.

Sincerely,



Ernest A. Loveless, Jr.

EAL/mk

cc: Judge Bowling  
Suzanne H. James



# Seventh Judicial Circuit of Maryland

COURT HOUSE

UPPER MARLBORO, MARYLAND 20772

ERNEST A. LOVELESS, JR.  
CHIEF JUDGE  
CIRCUIT ADMINISTRATIVE JUDGE

(301) 952-4093

December 6, 1985

Mr. James H. Norris, Jr.  
State Court Administrator  
Courts of Appeal Building  
Annapolis, Maryland 21401

Dear Jim:

Reference is made to your memorandum dated November 4, 1985 and the "Statistical Needs Analysis for New Judgeships in the Circuit Court - 1986 Session (Fiscal 1987)".

After reviewing the Statistical Analysis attachment to the above mentioned memorandum showing a need for 2.6 judges, and after consultation with other judicial members of the Circuit, we concur in principle that the need for additional judges exists in the Seventh Circuit. However, our survey of the Seventh Judicial Circuit shows the following:

In Calvert County, Judge Bowen feels there is no need for an additional judge at this time in FY-87.

In St. Mary's County, Judge Mattingly feels there is no need for an additional judge at this time in FY-87. However, he does feel that assistance from other judges, at least four or five days a month is appropriate.

In Charles County, Judge Bowling agrees that there is a great need for an additional judge which you have already identified in your analysis this year as well as the past two years. Judge Bowling reports that space is available and the County Government and Bar Association are receptive to the appointment of an additional judge.

We note that your report recognizes that Charles County will have a population increase to 90,100 in FY-87. However, our local Court Administrator feels that the population projections for Charles County are open to argument because not enough emphasis has been placed upon the future growth projections of St. Charles City. In addition, a new 1.1 million square foot regional shopping mall in

James H. Norris, Jr.  
December 6, 1985  
Page No. 2

St. Charles will have five major department stores and 120 smaller stores. This then will not only further increase the population but will bring hundreds of thousands of shoppers and its problems, which will ultimately affect case filings. (see attachment)

Presently, I believe that the appointment of one additional judge to Charles County will take care of their immediate need which you have already identified and which we have elaborated on.

In Prince George's County, Judge McCullough believes there is a consistent pattern of needing increased judicial strength. However, he is willing to forgo a request for FY-87 so a closer examination can be made of the success of our new case management system through the Court's newly acquired Assignment Office.

Finally, given the totality of our needs within the Seventh Judicial Circuit, we formally request one additional Judge for Charles County.

Should you have any questions regarding this, I would be pleased to hear from you.

On a more personal note, I wish you and your staff a happy holiday season.

Sincerely,



Ernest A. Loveless, Jr.

EAL/jt

Attachment

cc: Judge Bowen  
Judge McCullough  
Judge Mattingly  
Judge Bowling  
Robert W. McCarthy, Jr.

VOL. 113 NO. 84

# Mall deal final

By Kevin Conron  
Staff Reporter

WALDORF —The final papers for the 1.1 million square-foot regional mall in St. Charles were signed last Tuesday, after a month of negotiations between St. Charles Associates and the mall developer, Melvin Simon & Co.

Charles Stuart, president of SCA, said in a phone interview Monday, "We're very gratified with the presence of Melvin Simon in Charles County. We just think it's very exciting news."

Officials of Simon & Co. did not return phone calls placed Monday and Tuesday.

Sources in the past have said that once the papers were completed, Simon & Co. would start work immediately on a separate 400,000 square-foot community shopping center in Westlake Village.

The shopping center, to be anchored by a Bradlees department store, is expected to be open by October 1986.

Simon reportedly has commitments from four major department stores for the enclosed regional mall: Hecht's, Montgomery Ward, J.C. Penney and Sears Roebuck & Co. A fifth store is to be added later. Plans also include building 120 smaller stores.

Construction on the mall is expected to start next spring with an opening date by fall of 1987.

The mall, with an estimated construction cost of \$125 million, will be built on 125 acres in St. Charles that fronts U.S. 301 between Smallwood and St. Patrick's drives.

Seventh Judicial Circuit of Maryland  
COURT HOUSE

GEORGE W. BOWLING  
ASSOCIATE JUDGE

LA PLATA, MARYLAND 20646

(301) 645-0540  
(202) 870-3000, EXT 540

November 26, 1986

The Honorable Robert C. Murphy  
Chief Judge  
Court of Appeals of Maryland  
Courts of Appeal Building  
Annapolis, Maryland 21401

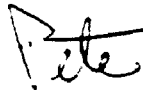
Dear Bob:

Last year we discussed an additional Circuit Court judge for Charles County. You indicated that you did not think it appropriate to make such a request at that time. It is my opinion that now is as good as any time to ask for assistance.

I have discussed this matter with the County Administrator and it appears that there should be no problem obtaining the additional space. Dennis Fean, Administrative Clerk for the Fourth District, has indicated that Judge Sweeney is going to request authorization for a second District Court judge for the county. There is no question about the caseload justifying additional judges, and I believe that our chances of obtaining this would be impossible without the Administrative Office's approval and recommendation. The Seventh Circuit Judicial Conference has voted unanimously to request an additional judge for Charles County.

If you are going to make such a request, then I will communicate with our local representatives to seek their support.

Very truly yours,



George W. Bowling  
Associate Judge

GWB/dhw

cc: The Honorable Ernest A. Loveless, Jr.

Circuit Court  
for  
Baltimore City

111 NORTH CALVERT STREET  
BALTIMORE, MARYLAND 21202

JOSEPH H. H. KAPLAN  
ADMINISTRATIVE JUDGE

November 24, 1986

396-5080  
City Deal TTY 396-4930

Honorable Robert C. Murphy  
Chief Judge  
Court of Appeals of Maryland  
County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204

Dear Bob:

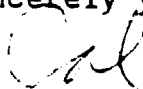
I have reviewed the Statistical Needs Analysis for New Judgeships in the Circuit Courts -- 1987 Session (Fiscal 1988), and what comes through loud and clear is that the analysis does not take into consideration the huge number of warrant cases that are currently coming into our court as well as the fact that, though the number of crimes committed in Baltimore City has not increased markedly, the serious nature of the crimes committed has increased substantially.

I enclose for your reference a November 1986 study of the Baltimore City Jail population. That study demonstrates what I have just said. Because we now have more serious offenses and offenders, a much larger percentage of offenders are insisting on jury trials; hence, they are staying in the City Jail for longer periods of time. There is no way this problem can be handled except by adding another judge or two to the criminal side. I cannot take any more judges away from the civil side to do this unless I decimate the civil side.

When our problem is largely a criminal one, it makes little sense to count the juvenile masters and the domestic relations masters and the civil master as part of the judicial officer cadre for the handling of that problem. They clearly are no help in dealing with the prayers for jury trial or the increased heavy offender and offense caseload.

Your help in rectifying what I view as a skewed statistic as to our additional judge needs would be appreciated.

Sincerely yours,



Joseph H. H. Kaplan  
Administrative Judge

JHHK/kah  
Enclosure

Circuit Court  
for  
Baltimore City

III NORTH CALVERT STREET  
BALTIMORE, MARYLAND 21202

January 13, 1987

JOSEPH H. H. KAPLAN  
ADMINISTRATIVE JUDGE

396-5080  
City Deal TTY 396-4930

Hon. Robert C. Murphy  
Chief Judge  
Court of Appeals of Maryland  
County Courts Building  
Towson, Maryland 21204

Dear Chief <sup>Paul</sup>Judge Murphy:

When we spoke the other day and you advised me that you were not putting in for an additional Judge for the Circuit Court for Baltimore City this year, I did not know whether you were aware of the fact that within the next year, Peter Angelos' firm is going to file in the Circuit Court for Baltimore City some 500 asbestos cases and that within the next several years, the filings will probably reach 2,000. The Circuit Court for Baltimore County, the United States District Court and now we will be severely impacted by these asbestos cases. They will virtually take over our civil docket. We have already set up a procedure for the handling of these cases. Enclosed you will find copies of initial drafts of Pre-Trial Orders Nos. 1 and 2. These Orders will be signed by me after they have been modified some more.

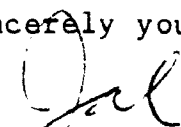
Previous to the onslaught of this problem, Marty Greenfeld handled asbestos cases with Ray Davis as a backup. Now, five Judges will be assigned to asbestos cases, those Judges being: Martin Greenfeld, Arrie Davis, Joseph Pines, Thomas Ward and David Mitchell.

Combining this situation with our misdemeanor difficulties, I cannot understand how any other Court in this State could be more deserving of additional judicial personnel than we are.

I hope that you will reconsider this matter and recommend to the Legislature that we get at least one additional Judge.

With best regards, I am

Sincerely yours,

  
Joseph H. H. Kaplan  
Administrative Judge

JHHK:sp  
Enclosures

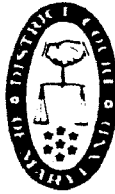


Exhibit C

**DISTRICT COURT OF MARYLAND**

ROBERT F. SWEENEY  
Chief Judge

Courts of Appeal Building  
Annapolis, Maryland 21401  
Phone: 269-2412

December 5, 1986

The Honorable Robert C. Murphy  
Chief Judge, Court of Appeals  
County Courts Building  
401 Bosley Avenue, Fifth Floor  
Towson, Maryland 21204

Dear Judge Murphy:

In accordance with your request, I am herewith submitting my views as to the need for newly created judgeships for the District Court for the fiscal year beginning July 1, 1987.

In preparing this request I have consulted with each of the Court's twelve administrative judges and have carefully evaluated our dockets and judicial workloads throughout the state. As a result, I am satisfied that there is a pressing need for the creation of two additional judgeships. The first of these is in Montgomery County, where an additional judge is needed for the primary purpose of assisting in the court's normal caseload, and for the secondary purpose of giving some assistance to the two juvenile court judges in that county. The second additional judgeship is needed in Charles County.

In Montgomery County we last had a new judgeship created effective July 1, 1983, giving us our present total of eight judges in the adult division of the Court. Our total caseload in that county for the year ending June 30, 1983 was 178,742 cases. The total for the year ending June 30, 1986 was 211,692. Even of greater concern is the fact that in the year ending June 30, 1983, the seven judges of that court actually tried 33,768 cases, while in the year ending June 30, 1986, our eight trial judges conducted 45,742 contested trials.

This enormous caseload not only severely overtaxes the judges of that court, but is having an adverse affect on the proper administration of justice, primarily in the trial of nonjailable motor vehicle cases. The elapsed time from infraction to trial for those cases greatly exceeds the elapsed time for any other district in

The Honorable Robert C. Murphy  
Page Two  
December 5, 1986

this state. In some instances, almost a year elapses before a speeding ticket appears on our docket for the first time. Obviously, delays of this kind are intolerable.

In making this request, I am satisfied that the adult judges of this court are performing at the maximum optimum level - or beyond. For example, for the month of September, 1986, the most recent time for which bench time statistics are now available, judges at our Firstfield location sat for an average of more than four hours per day, and those in our Bethesda and Silver Spring courts sat for almost a five hour daily average. Over the past two years we have assigned more out-of-district judges to Montgomery County than to any other district of this state in a concentrated effort to dissipate the backlog in trials. Unfortunately, these assignments have not made a substantial impact.

I am attaching hereto a copy of a report prepared, at my request, by the Administrative Office of the Courts pertaining to our need for additional assistance for the two juvenile judges in Montgomery County. As that report indicates, the workload in the juvenile division does not now justify the addition of a full-time judge, but in his report Peter J. Lally of the Administrative Office states, in pertinent part: "While there is no perceived need for an additional permanent judge in the juvenile court at this time, consideration should be given for adding judicial assistance in the juvenile court on an interim basis." I concur in this recommendation, but have no hesitation in stating that that part-time assistance cannot be given to the juvenile court by our present complement of judges, and can only be rendered if that complement is increased by one, as I herein request.

In Charles County we have had only one District Court judge since the Court began in 1971. We have also experienced a phenomenal increase in the caseload, consistent with that county's growth, as it more and more becomes a commuting suburb of Washington, D. C. In the fiscal year concluded on June 30, 1983, there were 13,986 total filings in that court. In the fiscal year concluded June 30, 1986, that number had increased to 18,236. In fiscal 1982, the number of contested cases in Charles County totaled 3,905, whereas in fiscal 1985 they had increased by almost 25%, to 4,858. Although the state of our dockets is not as drastic in Charles County as in Montgomery County, we are beginning to experience substantial backlogs in the trial of criminal and motor vehicle cases, and that situation would be far more severe were it not for the fact that month in and month out, year in and year out, the resident judge, the Honorable Robert C. Nalley, devotes more time on the bench than any of the other 88 trial judges of this Court. In the month of September, 1986, Judge Nalley sat for an average of 4 hours and 49 minutes per day, and this was by no means extraordinary.



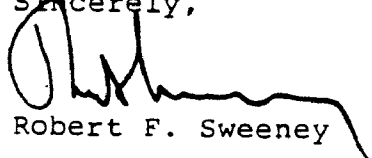
The Honorable Robert C. Murphy  
Page Three  
December 5, 1986

In an effort to ease our problems in Charles County, we have for the past year routinely been assigning the resident judges in Charles and Calvert Counties to assist Judge Nalley. Although this expedient has been helpful, it does not appear to be sufficient for us to deal with our caseload problems in that county on a permanent basis.

For all of the above reasons, I am persuaded that there is an immediate and imperative need for the creation of one additional judgeship in Montgomery County and one additional judgeship in Charles County, and I ask that you so certify in your Report to the President of the Senate and the Speaker of the House.

Thank you for your consideration of this request.

Sincerely,



Robert F. Sweeney

RFS:bj a

encl

cc: The Honorable Thomas A. Lohm/w/encl  
The Honorable Robert C. Nalley/w/encl  
Margaret Kostritsky/w/encl

71r1182

CF 71r1181  
D1

Typed by bb/payne  
 Proofread by \_\_\_\_\_  
 Corrected by \_\_\_\_\_  
 Checked by \_\_\_\_\_

By: The President (Judiciary)	22
A BILL ENTITLED	25
AN ACT concerning	29
Judgeships - District Court	32
FOR the purpose of altering the number of District Court judgeships in the 6th Judicial District (Montgomery County).	36 37
BY repealing and reenacting, with amendments,	39
Article - Courts and Judicial Proceedings	42
Section 1-603(b)	44
Annotated Code of Maryland	46
(1984 Replacement Volume and 1986 Supplement)	47
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:	50 51
Article - Courts and Judicial Proceedings	54
1-603.	57
(b) In each of the districts provided for in § 1-602 of this subtitle, there shall be the following number of associate judges of the District Court:	61 62
(1) District 1--23	65
(2) District 2--4	68
(3) District 3--6, two to be appointed from Cecil County.	71
(4) District 4--3	74
(5) District 5--10	77
(6) District 6--[10] 11	80
(7) District 7--6	83
(8) District 8--12	86

-----  
 EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
 [Brackets] indicate matter deleted from existing law.

71r1182

(9) District 9--3	89
(10) District 10--5, two to be appointed from Carroll County and three to be appointed from Howard County.	92 93
(11) District 11--4	96
(12) District 12--3	99

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall 105  
take effect July 1, 1987.

Typed by mj/payne

Proofread by \_\_\_\_\_

Corrected by \_\_\_\_\_

Checked by \_\_\_\_\_

By: The Speaker (Judiciary)	22
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[Brackets] indicate matter deleted from existing law.

71r1181

(9) District 9--3	89
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(11) District 11--4	96
(12) District 12--3	99

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